

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Kelvin R. Lovett, :
Petitioner(s), :
vs. : Case Number: 1:11cv518
Warden, Southern Ohio Correctional Facility, : Chief Judge Susan J. Dlott
Respondent(s). :
:

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on June 19, 2012 a Report and Recommendations (Doc. 28). Subsequently, the petitioner filed objections to such Report and Recommendation (Doc. 30). Magistrate Judge Merz filed a Supplemental Report and Recommendation (Doc. 32) on August 30, 2012. Petitioner filed objections (Doc. 36) to the Magistrate's Supplemental Report and Recommendation, and Petitioner filed a Motion for Relief from Judgment (Doc. 37) on November 2, 2012.

Magistrate Judge Merz issued a Report and Recommendation on petitioner's motion for relief from judgment on November 6, 2012 (Doc. 39). The deadline to file objections was November 23, 2012.

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendations should be adopted.

Accordingly, after careful review of all the documents filed, the Petition is **DISMISSED** with prejudice. Petitioner is **DENIED** a certificate of appealability. An appeal of this Order will not be taken in good faith.

With regard to the Reports and Recommendation (Docs. 28, 32 & 39), the Court **ADOPTS** the Reports and Recommendation. The motion for relief (Doc. 37) is **DENIED**. This case is **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court